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POETRY.

THE PETITION.—By L. E. L.

I do not know what hour to name,
When I shall ask one thought as mine,
Nor urge my fond heart's gentle claim
Upon that hushed face of thine.
Think of me, when the languid night
Closes around; if the weary hours
When far off stars are pale with light,
And the sweet air is filled with flowers.
Ah, yield not to the slumber sleep,
But think—ah, no! that must not be:
Enough for me to watch and weep,
I would not have thee wake for me.
Think of me when the earliest rose
Moils gradual in the summer sky:
And the glad birds their wings unclose,
While light and music bid them rise.
When the sun makes each daisy spry,
A mirror for the morning's smile;
But, no!—that hour is all too gay—
Thou must not think of me the while.
Nor wilt I ask a sweet brief thought,
And bid thy days of common care,
I would not have my image brought
With earthly joys and fears to share.
Ah! fully of a loving heart!
What I mean wild and vain are these—
For in thy own calmest thought,
For here is all of pleasures!
Think of me, if, in thy quietude,
A night of moon—on clouds—shine!
So I can think and sigh,
And trust that true is art as my own.

LABORING CLASSES IN EUROPE.

To-day we finish our notice of the North American Review, and abstract of the paper relating to the *Laboring Classes in Europe*. The subject can hardly fail to interest a large portion of our readers.

1. France the revolution of society and property. In 1820 about one-half of the whole population were landed proprietors. About two-thirds of them are now engaged in agricultural pursuits: of the about five millions are not proprietors. Of the manufacturing population about five millions are destitute of property. The highest wages for a cotton manufacturer in France are not more than five shillings and six pence a week, that of which the man has himself to live and clothe. The wages of cotton manufacturers generally on the continent of Europe, varies from fifty cents to one dollar and twenty-five cents a week. Of the population of France, seven and a half millions receive less than twenty dollars per year for their support, and nearly twenty-three millions of people are compelled to obtain the necessities of life with from five to eight cents a day. Seven and a half millions do not eat meat or wheat bread. Their food is barley, buckwheat, chestnuts, and a few potatoes—their drink is water. In 1820, more than one hundred thousand—one seventh part of the inhabitants of Paris, received support from charity. During certain seasons of the year, the women are employed in the flax-houses. Wages for those laboring on farms are, for men about thirty-seven dollars annually, for women, about half that sum. Many workmen are willing to toil the year round for their bread only. The poverty of these classes does not excuse them from taxation. In France all religions are nominally tolerated; but the Catholic is the national faith. The clergy exceed forty thousand in number, and cost the country, exclusive of fees, gifts and other allowances from parishes, communes and departments, thirty-three millions, nine hundred and eighteen francs annually.

In Spain the burden of the Church establishment is severely felt. There are in this church 44 archbishops—80 bishops—130 chapters—70,200 secular priests—15,300 inferior clergy—3,000 monasteries and convents—71,500 monks and nuns. The archbishop of Toledo receives a revenue of \$800,000—[The President of the U. States receives one-twenty-fourth part of this sum, or \$25,000.] Vast masses of property are locked up in the possession of the church.

In Ireland the population is about eight millions. The soil of Ireland is owned by a comparatively few individuals. These let out their lands in large tracts to jobbers or "middle men" who in their turn, under let to cottiers—a class of peasants who occupy and cultivate them. The proprietors of the soil live principally in England, or on the continent. Each of the cottiers occupies a cabin, and from a quarter of an acre to four or five acres of land. Their cabins are described as "four mud walls, with one entrance, frequently no windows or chimneys. Numbers have not a bed or even a bed frame, sleeping upon straw or heath upon

their clay floors." The Irish acre is about twice as large as ours, and the highest rent paid is ten guineas an acre. Whatever the rent may be, it is, as nearly as can be calculated, fully and literally the whole produce of the soil saving the small reserve of potatoes, necessary for himself and family. While the cottier is compelled to pay a rent so enormous and burdensome, his wages are proportionately low. They vary from four pence to ten pence daily, making an average through the year, in our currency, of from nine to eleven cents. The manufacturers are but little better. The wages of linen weavers are one shilling a day—in many instances after laboring twelve hours a day, they receive for a week's toil about fifty cents. Potatoes, it is well known, constitute their chief food—sometimes with buttermilk and bread. Every thing the cottier can raise must go to the landlord or the priest. When the potatoe crop fails beggary or starvation is his lot. Nothing has hitherto checked the industry of Ireland like the church establishment. Although five-sixths of the population are Catholics, the church of England is the established one, and her clergy are supported out of the tithes of the lands. The tithes are drawn from the very food of the laboring classes. The favorite cow is offered to meet exactions of the church establishment and the landlord.

In Scotland the population is between two and three millions. The laboring classes rarely indulge in eating meat except on Sundays. Only about the one-sixth part of the population of England are proprietors of the soil, although one-third part are engaged in agricultural pursuits. The great division of the laboring classes in England, with the exception of those engaged in commerce, is into agricultural and manufacturing departments. The wages of laboring men depend much upon the number of paupers in the district, where the labor is to be performed. In many districts the wages of laborers upon farms is six pence a day. The highest wages are about two dollars per week. In the immediate neighborhood of London wages are about three shillings a day. In the harvest season great numbers of laborers come over to England from Ireland to work, and in some districts they receive from two to four shillings per day. The wages of those who labor in the manufacturing departments, are much the same as those given to the operatives. A constant struggle is maintained by the employers against those whom they hire, to reduce wages to the lowest point at which life can be sustained. It is common for those in the factories to be employed sixteen hours a day, some of them earning not more than seven shillings during the week—others not more than four shillings. Some of the "great ones" of England receive an annual income of from four to eight millions of dollars. In 1836 the aggregate of poor rates in England exceeded thirty-one millions of dollars, which is a sum nearly twice as large as that paid for supporting the whole government of the United States.

The amount of tithes paid in England, annually, for the support of the regular church establishment, not including Catholics and Dissenters, is twenty-five millions of dollars. The average salaries paid to the Bishops, exceed twenty-five thousand dollars per year, and some of them receive one hundred thousand dollars; while a numerous class of clergy too, are confined to a scanty subsistence. No man can be a voter who does not, in a city or borough, rent a building of the annual value of ten pounds, [about \$40,] or if in the country, occupy a freehold estate of the same yearly value. Of course only a small part of the population can vote. In some boroughs, which send members to Parliament of three thousand inhabitants, there are not more than thirteen or fourteen voters.

In Liverpool, with a population of nearly two hundred thousand, only about three thousand are qualified to vote.

Domestic Habits in Females.

Many a man has owed his success or failure in business as much to the management of his wife, as to his own individual actions. Though domestic occupations do not hold the high rank to which they are justly entitled, yet there is a reason to believe that the prevailing sentiments are gradually undergoing a change; that females see more and more the propriety of possessing the ability to overlook and wisely direct the expenditures of that part of the husband's income which fall under their own immediate inspection; and that they are the most deserving characters, whatever their situations, who best perform the duties which those situations require. We believe that, at the present day, the instances are more common where ladies in the higher classes of society deem it no disparagement to be familiarly acquainted with all the internal concerns of their families. This is considered not only a matter of choice, but as absolutely necessary if they would maintain the character and influence which they are destined to maintain in society. Yet to the shame of many a mother it must be spoken, that their daughters are suffered to be fostered in life unprepared to fill any situation with usefulness and dignity. They are instructed in the elegant, but not in the useful arts of life; and the result will be as often has been, where there is no security for

the possession of wealth, that they will be obliged to exchange the voluptuous dream of life spent in feasting on silver, and dozing amidst curtains of massy velvet, enjoying to account for the strange inconsistency in the events of life and the promises of romance,—to exchange these, and undergo every drudgery and every humiliation for the wages of lackeys.—There is much truth in the remark, "to paint, is well; to play the piano, is well; to embroider, is well; but to be able to make a pudding is better than all."—[Barns. Pat.

From the Jeffersonian.

We make the following extracts from a speech delivered by Col. R. K. POLK, Representative in Congress from Tennessee, at a Public Dinner recently given him at Moore'sville in that State. The speech occupies ten columns in the Nashville Union.

"The opposition to an Administration, which has produced so great a sum of human happiness, composed as it is, of the body of the old Federal party, of Nullifiers, and of all the disappointed factions, whose leaders have sought and failed to get office, of factious whigs but yesterday professed antagonists, and conflicting opinions and principles, and now banded together, warring in a common cause, against the ascendancy of Republican principles. The Nullifiers, and the Consolidationists, the Restrictionist and the advocate of free trade, are now seen laboring together in the same cause, and to conceal the discordance of their principles from the public, or more properly, the want of any common principle by which they are governed, the revered revolutionary name of *Whig* has been recently assumed and disgraced by them, and is now worn in common, by *old Tories, Federalists and Nullifiers*. Names may be changed but principles remain."

"The developments of public opinion in the other States, now leaves no doubt that Mr. Van Buren is the candidate selected by the body of the republican party, every where out of Tennessee. No well informed man, who casts his eye beyond the limits of Tennessee, & takes a survey of what have been the evidences of public opinion, in the other States and especially in the result of the spring and summer elections, can for a moment hesitate to declare, that there is not the slightest hope of Judge White's election. I am fully convinced, that there is no reasonable prospect of his obtaining a single Electoral vote out of Tennessee; unless South Carolina shall cast her vote away upon him. The Opposition, in every Southern and South-western State, except in South Carolina, are in a minority; and that it is mainly the Opposition, in these States, that are now professing to support Judge White, every man of any discernment knows; that it is useless for his most zealous friends to attempt any longer to conceal the fact from the republican people of Tennessee."

Legal Knowledge.—As every man finds it necessary to understand the first principles of medicine, in order to preserve the health of his body, so ought every individual to understand the first principles of law, that he may know how to preserve the health of his body-politic—which as a member of a republic, is to a certain extent under his personal care. By the first principles of medicine, are understood those elements of the art upon which the practice should be founded. The former should be known by all—the latter need be known only by physicians. By the first principles of the law are understood those natural elements of justice upon which all statutes should be constructed. The whole community should understand the former—the latter can be manfully understood only by the members of the profession. The people should comprehend the nature of civil as well as of moral obligation. They should study the art of legislation, which is no less than the art of preserving both justice and liberty.

Boston States.

TO YOUTH.

The evenings are growing longer, and many young persons will be released from their employers to spend this portion of their time in any manner they please. Here will be many hours, which if improved in study, will ensure to the youth a rich store of knowledge. You never will be at a loss how to spend your evenings, books and periodicals are plenty, and within the reach of every youth. We never in establishing the independence of two countries, when humble assumed the purple, Milam's republican principles placed him in fetters—dragged him to the city of Mexico, and confined him in prison until the usurper was dethroned. When Santa Anna assumed the Dictatorship, Executive when he only doubts the constitutionality of any law, to bring it to the test of the decision of two thirds of Congress in its favor. The Veto Power was wisely vested by the Constitution in the President, as the representative of the whole people of the United States to guard the reserved rights of the States and of the people against Legislative usurpations. So far then from condemning a President for the exercise of that power, we believe no case can by possibility occur when it will be effectually, that it will not also be rightfully exercised."

employment at some menial business. There is great encouragement for you to be studious and industrious—to be steady and virtuous in your habits—to spend your evenings to good account. If you have been careless in this respect heretofore, it is not too late to reform now. You may be useful to yourselves, to your friends and to mankind in general.

Crime among the Young.

The instances of youthful depravity that have repeatedly occurred in this vicinity of late are calculated to take deep hold of the thoughts of the reflecting. It is peculiarly painful to think of the young as connected with crime. To see one that has no temptation of poverty, whose wants and cares are as yet cast upon others, whose lawless appetites have not yet acquired the strength of maturity, who has not yet trod the path of life long enough to have wearied of the flowers that beset him at its entrance, suddenly plunging into guilt, shows a wantonness of iniquity, and a perverseness of self-immolation both shocking and mysterious. And what is the most common crime? The meanest of all—theft—pilfering—larceny.—We can attribute the increase of vice among youth to no more obvious cause than the indulgence permitted them in their propensity to become men before they have been boys—their lounging about on the walks, in the stores, at the eating shops, listening to what they never ought to hear, idling away hour after hour in vicious intercourse smoking, spitting and drinking and aping every thing vile. [Hampshire Gaz.

Interesting Letter from Texas.

BRAZORIA, (Texas) Oct. 22, 1835.
Dear Sir: While all eyes were directed with intense anxiety towards the military operations near Gonzales—supposing that to be the only point from whence we might expect important news—we were astonished by receiving information of the capture of the fort and town of Goliad, (La Bahia) by a party of colonists. These were volunteers from the transcendently fertile banks of the Caney, and from the town of Matagorda, a place destined to become an important city.

Before this party entered the field, most of the volunteers were at Gonzales—and fearing that the harvest of honors would be reaped before they arrived there—they struck off from La Bahia on the morning of the 13th inst. for Goliad by surprise.

Goliad is situated at the southwest side of the San Antonio river, thirty leagues below Bexar, and it is fifty leagues from Copouso, the landing place of Arkansas bay, and about the same distance from the La Brea led of Matagorda bay. The fort is built upon the point on a very steep and high hill, formed of rock, with a deep ravine upon one side, and a low prairie upon the opposite—while a broad elevated prairie extends towards the southwest.

The walls of the fort are stone and lime, and bear in places the marks of the storms of an hundred winters, but are still proof against any thing less than the battering of heavy artillery.

A long forced march brought the vanguard of the colonists to the San Antonio river, lord of the below the town at 11 o'clock on the night of the 9th inst. Here they halted for the main body, and to make arrangements for the attack. A very small party was sent into town, and they brought out with the utmost secrecy a worthy citizen, friendly to the constitution of 1824. And by his assistance guides were procured, perfectly acquainted with the place.

The main body of the colonists missed their road in the night, and before they found out their mistake, were at the upper ford, immediately opposite the town. They then struck across for a short cut to the position occupied by the vanguard. Their route led through a musket thicket. The musket is a tree of the Locust family, full of thorns, and at a little distance resembles the common peach tree in size and appearance. While the parties were threading their way through the thicket, the horse of some of them started in affright at an object beneath a bush. The rider checked his horse and said, "who's there?" A voice answered in Spanish, "One of the party supposed that he recognized in the voice an old acquaintance of Bahia—and asked if it was not such a one, mentioning the name. "No," was the reply, "my name is Milam."

Colonel Milam is a native of Kentucky. At the commencement of the Mexican war of Independence he engaged in the cause, and assisted in establishing the independence of two countries. When humble assumed the purple, Milam's republican principles placed him in fetters—dragged him to the city of Mexico, and confined him in prison until the usurper was dethroned. When Santa Anna assumed the Dictatorship, Executive when he only doubts the constitutionality of any law, to bring it to the test of the decision of two thirds of Congress in its favor. The Veto Power was wisely vested by the Constitution in the President, as the representative of the whole people of the United States to guard the reserved rights of the States and of the people against Legislative usurpations. So far then from condemning a President for the exercise of that power, we believe no case can by possibility occur when it will be effectually, that it will not also be rightfully exercised."

They allowed him the luxuries of the bath, and he profited by the indulgence, and made arrangements with an old compatriot to place a fleet horse, suitably equipped, upon the bank of the stream at a time appointed. The Colonel passed the sentinel, as he was wont to go to the water—walked quietly on—mounted his horse—and fled.

Four hundred miles would place him in safety. The noble horse did his duty, and bore the colonel clear of all pursuit to the place where our party surprised him. At first he supposed himself in the power of his enemy—but the English language soon convinced him he was in the midst of his countrymen.

He had never heard that Texas was making an effort to save herself. No whisper of the kind had been allowed to pass to his prison—When he learnt the object of the party, his heart was full. He could not speak—for joy. When the company arrived at the lower ford they divided themselves into four parties of twelve men each. One party remained as a guard with the horses. The other three each with a guide, marched by different routes to the assault.

Their axes hewed down the door where the colonel commanding the place slept—and he was taken a prisoner from his bed. A sentinel hailed—and fired. A rifle ball laid him dead upon the spot. The discharge of fire-arms and the noise of human voices now became mingled. The Mexican soldiers fired from their quarters and the blaze of their guns served as targets for the colonist's aim.

The garrison were called to surrender, and the call was translated by a gentleman present who spoke the language. They asked for terms.

The interpreter now became the chief speaker. "No," answered he. They say they will make every one of you, unless you come out immediately and surrender. Come out—come out quick. I cannot keep them back—come out if you wish to save your lives—I cannot keep them back no longer. "O do for God's sake keep them back," answered the Mexicans in their own language—"We will come out and surrender immediately"—and they rushed out with all possible speed and laid down their arms.

And thus was the fort of Goliad taken—a fort which with a garrison of three hundred and fifty patriots in the wars of 1812-13, withstood a siege of an army of more than two thousand Spanish troops and forced them to retire, discomfited.

At the capture of the fort, three Mexican soldiers were killed and seven wounded, and one colonel, one captain, one lieutenant, with many private soldiers, were taken prisoners in the dark and fled.

In the Fort were found two pieces of brass cannon, 600 muskets and carbines, 600 spears with ammunition and provisions.

One of the colonists was wounded in the shoulder.

Colonel Milam assisted in the capture of the fort, and then he spoke: "I assisted Mexico to gain her independence, I have spent more than twenty years of my life, I have borne losses and cold, hunger and thirst, I have borne losses and suffered persecutions, I have been a tenant of every prison between this and Mexico—but the events of this night have compensated me for all my losses and all my sufferings."

The colonists were commanded by Gen. M. Collinsworth, but it would be difficult to find in the company a man not qualified for the command.

Goliad is of vastly more importance in a military point of view than Bexar, as the latter is in a valley upon the banks of the river and commanded by the hills on each side—and is therefore not defensible.

The main army under Colonel Austin marched from Gonzales on the 13th inst. against Bexar.

When provoked, there is in Colonel Austin the courage of the lion; and there is in him, at all times, the caution of the fox. With him in command, if we do not hope for a speedy victory, we at least do not fear a defeat.

I send this by a soldier* who fought at the capture of Goliad, and if there be any errors in my statement, you will have the means of correcting them before you.

Your obt. servant,

* Captain John Duncan, lately of Mobile.—Ed. B.

The Veto Power. The opposition have found much fault with Gen. Jackson for exercising, in a few instances, this power. The following is the conclusion of an excellent article upon this subject, from the Ellsworth Radical:

"We assume it as an axiom, that no power should be exercised by Congress, deemed unconstitutional by the Executive, unless two-thirds of Congress can agree in the exercise; and further that it is the bounden duty of the Executive when he only doubts the constitutionality of any law, to bring it to the test of the decision of two thirds of Congress in its favor. The Veto Power was wisely vested by the Constitution in the President, as the representative of the whole people of the United States to guard the reserved rights of the States and of the people against Legislative usurpations. So far then from condemning a President for the exercise of that power, we believe no case can by possibility occur when it will be effectually, that it will not also be rightfully exercised."

Fellow Citizens of the Senate
and Lovers of Representative Government:

In the discharge of my official duty, the task again devolves upon me of communicating with a new Congress. The reflection that the representation of the Union has been recently renewed, and that the constitutional term of its services will expire with my own, heightens the solicitude with which I shall attempt to lay before it the state of our national concerns, and the devout hope which I cherish, that its labors to improve them

[illegible][illegible]

Our diplomatic intercourse with Portugal has been new, and it is expected that claims of our citizens partially paid, will be satisfied as soon as the Government has the opportunity to give attention to the affairs of that country. The Government has, I am happy to inform you, indicated a determination to act upon the liberal principles which are marked in our commercial policy, — the adjustment of our future trade between the United States and Portugal, has been discussed, and the time is not far distant to commence a system of perfect reciprocity to be established.

The instalments due under the Convention with the King of the Two Sicilies, have been paid with scrupulous fidelity by which our credit has been again secured, and, I am confident, that the adjustment of our future questions or claims will be followed by more extended and mutually beneficial intercourse between the two countries.

The internal contest still continues in Spain. Distinguished as this struggle has unhappily been, by incidents of the most sanguinary character, the obligations of the late treaty of indemnification with us, have been nevertheless, faithfully executed by the Spanish Government.

Congress for the ascertainment of claims to be paid, and the apportionment of the funds, under the convention made with Spain. I invite your early attention to this subject. The public evidence of the claims is, however, according to the terms of the convention, and in the form prescribed by it, been placed in the possession of the United States, and the interest, as it fell due, has been regularly paid upon them. Our commercial intercourse with Cuba stands as regulated by the act of Congress. No recent information has been received from the position of the Government in relation to this subject. The lamentable death of our recently appointed Minister, on his way to Spain, with the pressure of their additional home, render it scarcely probable that any change to be looked for during the coming year. Further portions of the Florida cession have been sent to the United States, although the Government has not yet taken any official action in relation to the claims of the Cuban exiles. The critical economic embarrassments of the Government, and the progress of the war, have retarded the delivery of them. The high officers of the naval Gov-

ernment have recently shown an anxious desire, in compliance with the orders from the parent Government, to facilitate the selection and delivery of all we have a right to claim.

Negotiations have been opened at Madrid, for the establishment of a lasting peace between Spain and one of the Spanish American Governments, in one of the hemisphere, as five available ports of call, and a station of departure, for the future, the entrance of Spain to treat on the basis of their entire independence. It is to be regretted, that successive appointments, by any of the ministers to negotiate with Spain, had not been made with the same care and dispatch, as the long standing dispute spreading over a large portion of the world would have been brought to a more speedy conclusion.

Political and commercial relations with Austria, Prussia, Belgium, and Denmark, stand on the usual favorable basis. One of the articles of our treaty with Russia, in relation to the trade on the North-west coast of America having expired, instructions have been given to our minister at Moscow, to demand a renewal of the renewal of the trade. The long and unbroken amity between the two governments gives every reason for supposing the article will be renewed, if stronger motives do not exist.

to prevent it, and, with our view of the subject, we
be anticipated.
We call your attention to the message of my predecessor
at the opening of the second session of the nineteenth
Congress, relative to our commercial intercourse with
Holland, and to the documents connected with that sub-
ject, communicated to the House of Representatives on
the 16th of January 1825, and 12th of January, 1827.
Coinciding in the opinion of my predecessor, that Hol-
land is not, under the provisions of her present system
intended to have her vessels and the cargoes received in
the United States, on the footing of American vessels
and cargoes, in regard to duties and other legal imposts,

all have waited without comment for the action of Congress, but recently a claim has been made by Belgium, in relation to the admission of her vessels to our ports, that she is entitled to an equal footing as American vessels, with the allegation we could not dispute, that our vessels received in our ports the identical treatment shown to them in the ports of Holland, upon whose vessels no discrimination was made in the party of the United States. Giving the same privileges, the Belgians expected the same benefits—benefits that were in fact enjoyed by our Belgium and Dutch vessels, and which we could not refuse to them, with the justice of their pretensions to be placed on an equal footing with Holland, I could not, nevertheless, without disregard to the principles of our laws, admit that we were bound to give them the same footing as vessels of Holland, and in consequence of our failure to respect Congress, to whom the subject had long been referred, has prevented me from producing an equal footing, by taking from the vessels of Holland a right of equal footing, which we have been bound to give them, although the condition upon which the grant was made, was in my judgment, failed since 1828. I recommended, therefore, a review of the Act of 1824, and the result was, that Congress should act on such terms as Congress shall think best comports with our settled policy, and the obligations of justice to two friendly powers.

With the Sublime Porte, and the Governments on the coast of Barbary, our relations continue to be friendly. The proper steps have been taken to renew our treaty with Morocco. The Argentine Republic has again promised to send within the current year, a Minister to the United States. A Convention with Mexico for extending the time for the appointment of commissioners to run the boundary line has been concluded, and will be submitted to the Senate. Recent events in that country have awakened the liveliest solicitude in the United States. Aware of the strong temptations existing, and powerful inducements held out to the citizens of the United States, to mingle in the dissensions of our immediate neighbors, instructions have been given to the District Attorney of the United States, where indications warranted to prosecute, without respect to persons, all who might attempt to violate the obligations of our treaty; while at the same time it has been thought necessary to apprise the Government of Mexico that we should require the integrity of our territory to be scrupulously respected by both parties.

From our diplomatic agents in Brazil, Chili, Peru, Central America, Venezuela, and New Grenada, constant assurances are received of the continued good understanding with the Governments to which they are severally accredited. With those Governments upon which our citizens have valid and accumulating claims scarcely an advance towards the settlement of them is made, owing mainly to their distracted state, or to the pressure of imperative domestic questions. Our patience has been and probably will be still further severely tried; but our fellow citizens whose interests are involved may confide in the determination of the Government to obtain for them, eventually, adequate satisfaction.

the retroaction. In many of the nations of this hemisphere are still self-tormented by domestic dissensions. Revolution succeeds revolution, injuries are committed upon foreigners engaged in lawful pursuits, much time elapses before a Government sufficiently stable is erected to justify expectation of redress—Ministers are sent and received, and before the discussion of past injuries is fairly begun, fresh troubles arise, but too frequently new injuries are added to the old, to be discussed together, with the existing enjoyment, after it has proved its ability to sustain the assaults made upon it, or with its successor, if they continue. If this unhappy condition of things continues much longer other nations will be under the painful necessity of deciding whether by justice to their suffering citizens

does not require a prompt redress of injuries by their own power, without waiting for the establishment of a Government competent and enduring enough to discuss and make satisfaction for them.

Since the last session of Congress, the validity of our claims upon France, as liquidated by the treaty of 1831, has been acknowledged by both branches of her legislature, and the money has been appropriated for their discharge; but the payment is, I regret to inform you, still withheld.

A brief recapitulation of the most important

On entering upon the duties of my station, I found the U. States an unsuccessful applicant to the justice of France, for the satisfaction of claims, the validity of which was never ques-

tionable, and has now been most solemnly admitted by France herself. The antiquity of these claims, their high justice and the aggravating circumstances out of which they arose, are too familiar to the American People to require description. It is sufficient to say, that for a period of ten years and upwards, our commerce was, with but little intermission, the subject of constant aggression on the part of France—aggressions, the ordinary features of which were condemnations o vessels and cargoes under arbitrary decrees, adopted in contemptuous disregard of the laws of nations, as of treaties.

stitutions; burnings on the high seas, and seizures and confiscations, under special imperial rescripts, in the ports of other nations occupied by the armies, or under the control of France. Such, it is now conceded, is the character of the wrongs we suffered—wronges, in many cases, so flagrant, that even their authors never denied our right to reparation.—Of the extent of these injuries, some conception may be formed from the fact, that after the burning of a large amount at sea, and the necessary deterioration, in other cases, by long detention, the American property so seized and sacrificed at forced sales, excluding what was adjudged to privateers, before or without condemnation, brought into the French Treasury upwards of twenty four millions of francs besides large custom house duties.

twenty years' uninterrupted negotiation, except a short time, when France was overwhelmed by the military power of united Europe.—During this period, whilst other nations were suffering from, payment of their claims at the point of the bayonet, the United States insisted their demand for justice, out of respect to the oppressed condition of a gallant people, to whom they felt under obligations for fraternal assistance in their own days of suffering and of peril. The bad effects of these projected and unavailing discussions, as well upon our relations with France as upon our national character were obvious; and the line of duty was to my mind equally so. This was, either to insist upon the adjustment of our claims within a reasonable period or to abandon them altogether. I could not doubt, that in this course, the interests and honor of both countries would be consulted. Instructions were therefore given in this spirit to the minister who was sent out once more to demand reparation. Upon the meeting of Congress, in December 1829, I felt it my duty to speak of these claims and the delays of France, in terms calculated to call the serious attention of both countries to the subject. The then French Ministry took exception to the message, on the ground of its containing a menace, under which it was not agreeable to the French government to negotiate. The American Minister, of his own accord, refused the construction which was attempted to be put upon the message, and, at the same time, called to the recollection of the French Ministry, that the President's message was a communication addressed, not to foreign governments, but to the Government of the United States, in which it was enjoined upon the Constitution, to lay before that body information of the state of the Union, comprehending its foreign as well as its domestic relations; & that, in the discharge of this duty he felt it incumbent upon him to summon the attention of Congress, in due time, to what might be the possible consequences of existing difficulties with any foreign government, he might fairly be supposed to do so under a sense of what was due from him, in a frank communication with another branch of his own government, & not from any intention of holding a menace over a foreign power. The views taken by him received my approbation, the French Government was satisfied, and the negotiation was continued. It terminated in the treaty of July 4, 1834, recognizing the justice of our claims, in part and promising payment to the amount of twenty-five millions of francs, in six annual installments.

...ifications of this treaty were exchanged at Washington on the second of February, 1832, and in five days thereafter it was laid before Congress, who immediately passed the acts necessary on our part, to secure to France the commercial advantages conceded to her in the compact. The treaty had previously been solemnly ratified by the King of the French, in terms which are certainly not mere matters of form and of which the translation is as follows:—“We, approving the above convention, in all and each of the dispositions which are contained in it, do declare, by ourselves, as well as by our heirs and successors, that it is accepted, approved, ratified and confirmed; and by these presents, signed by our hand, we do accept, approve, ratify and confirm it; promising, on the faith and word of a King, to observe it, and to cause it to be observed inviolably, with the same

Official information of the exchange of ratifications in the United States, reached Paris whilst the Chambers were in session. The extraordinary, and to us injurious delays of the French Government, in their action upon the subject of its fulfilment, have been heretofore stated to Congress, and I have no disposition to enlarge upon them here. It is sufficient to observe that the then pending session was allowed to expire without even an effort to obtain the necessary appropriations; that the two succeeding ones were also suffered to pass away without any thing like a serious attempt to obtain a decision upon the subject;—and that it was not until the fourth session, almost three years after the conclusion of the treaty, and more than two years after the exchange of ratifications, that the bill for the ex-

In the mean time, the Government of the United States, having full confidence that a treaty entered into and solemnly ratified by the French King, would be executed in good faith and not doubting that provision would be made for the payment of the first instalment, which was to become due on the second day of February, 1833, negotiated a draft for the amount through the Bank of the United States.—When this draft was presented by the holder, with the credentials required by the treaty to authorise him to receive the money, the Government of France allowed it to be protested. In addition to the injury in the nonpayment of the money by France, conformably to her agreement, the United States were exposed to a heavy claim on the part of the Bank, under pretence of damages, in satisfaction of which, that institution seized upon and still retains, an equal amount of public money. Congress was in session when the decision of the Chambers reached Washington; and an immediate communication of this apparently final decision of France not to fulfil the stipulations of the treaty, was the course naturally to be expected from the President. The deep tone of dissatisfaction which pervaded the public mind, and the corresponding excitement produced in Congress by only a general knowledge of the result,

mediate measures of redress would be the consequence of calling the attention of that body to the subject. Sincerely desirous of preserving the pacific relations which had so long existed between the two countries, I was anxious to avoid this course if I could be satisfied that by doing so, neither the interest nor honor of my country would be compromised. Without the fullest assurance upon that point, I could not hope to acquit myself of the responsibility to be incurred in suffering Congress to adjourn without laying the subject before them. Those received by me were dictated by that character.

That the feelings produced in the United States by the news of the rejection of the appropriation, would be such as I have described. That the Government of the United States would have been, was forced by the French Government, and prompt measures were taken by the Government to prevent the con-sequences. The King, the Emperor, expressed through our Minister in Paris, his profound regret at the decision of the Chambers, and promised to send forthwith, a national telegram, with despatches to the Minister here, authorizing him to give such assurances as would satisfy the Government and People of the U. S. that the treaty would yet be faithfully executed by France. The national signal arrived, and the Minister received his instructions.

Claiming to act under the authority derived from them, he gave to this Government, in the name of his, the most solemn assurances, that soon after the new elections as the charter would permit, the French Chambers would be convened, and the attempt to procure the necessary appropriations renewed;—that all the constitutional powers of the King and his Ministers should be put in requisition to accomplish the object; and he was understood, and so expressly informed by this Government at the time, to engage, that the question should be pressed to a decision at a period sufficiently early to permit information of the result to be communicated to Congress at the commencement of their next session. Relying upon these assurances, I incurred the responsibility, as I regarded it to be, of suffering Congress to separate without communicating with them upon the subject.

The expectations justly founded upon the promise thus solemnly made to this Government by that of France, were not realized.—The French Chambers met on the 31st of July, 1834, soon after the election; and although our Minister in Paris urged the French Ministry to bring the subject before them, they declined doing so. He next insisted that the Chambers, if protracted without acting on the subject, should be re-assembled at a period so early that their action on the treaty might be known at Washington prior to the meeting of Congress. This reasoning, however, was not only declined, but the Chambers were prorogued to the 29th of December, a day so late that their decision, however urgently pressed, could not, in all probability, be obtained in time to reach Washington before the necessary adjournment of Congress by the constitution.—The reasons given by the Ministry for refusing to convoke the Chambers at an earlier period, were afterwards shown not to be insuperable, their actual convocation on the 1st of December, under a special call for domestic purposes—which fact however, did not become known to this Government until after the commencement of the last session of Congress.

Thus disappointed in our just expectations, it became my imperative duty to consult with Congress in regard to the expediency of a resort to retaliatory measures, in case the stipulations of the treaty should not be specially complied with, and to recommend such as, in my judgment, the occasion called for.—To this end, an unreserved communication of the case, in all its aspects, became indispensable. To have shrunk, in making it, from saying all that was necessary to its correct understanding, and that the truth would justify, for fear of giving offence to others, would have been unworthy of us. To have gone, on the other hand, a single step further, for the purpose of wounding the pride of a Government and people with whom we had so many motives for cultivating relations of amity and reciprocal advantage, would have been unwise and improper. Admonished by the past of the difficulty of making even the simplest statement of our wrongs, without disturbing the equilibrium of other nations, I have

the consequences of those who did, by their position, become responsible for their redress, and earnestly desirous of preventing further obstacles from that source, I went out of my way to preclude a construction of the message, by which the recommendation that was made to Congress might be regarded as a menace, to France in not only disavowing such a design, but in declaring that her pride and her power were to well known to expect any thing from her fears. The message did not reach Paris until more than a month after the Chambers had been in session; and such were the insensibility of the Ministry, as not to reflect that

Although the message was not officially communicated to the French Government, and notwithstanding the declaration to the contrary which it contained the French Ministry decided to consider the conditional recommendation of reprisals, a menace, and an insult, which the honor of the nation made it incumbent on them to resent. The measures resorted to by them to evince their sense of the supposed indignity were, the immediate recall of their Minister at Washington, the offer of passports to the American Minister at Paris, and a public notice to the Legislative Chambers that all diplomatic intercourse with the United States had been suspended.

France, she next proceeded to illustrate the history of the subject. To this end, a bill was immediately introduced into the Chambers of Deputies, for the purpose of making the appropriations necessary to carry into effect the treaty. As the bill subsequently passed into a law, the provisions of which now constitute the main subject of difficulty between the two nations, it becomes my duty, in order to place the subject before you in clear light, to trace the history of its passage, and to refer with some particulars, to the proceedings and discussions in regard to

The Minister of Finance in his opening speech, alluded to the measures which had been intended to resent the supposed indignity, and threatened the execution of the treaty as a sure required by the honor and justice of France. He said the organ of the ministry, declared the message, the mere expression of the personal opinion of the President, for which neither the Government nor the people of the United States were responsible, and that an agreement had been entered into, for the fulfilment of which the honor of France was endangered. Entertaining these views, the single condition which the French Ministry proposed in annex to the payment of the money, was, that it should not be paid until it was ascertained that the Government of the United States did not intend to injure the interest of France; in other words, that no steps had been authorized by Congress of hostile character towards France.

that the disposition or action of Congress might be, was then unknown to the French cabinet. But on the 14th of January, the senate resolved that it was, at that time, inexpedient to adopt any legislative measure in regard to the state of affairs between the United States and France, and so action on the subject did not occur in the House of Representatives. These facts were known in Paris prior to the 15th of March, 1825, when the committee, to whom the bill of indemnification had been referred, reported it to the chamber of Deputies.— That committee substantially re-echoed the sentiments of the Ministry, declared that Congress had set aside the proposition of the President, and recommended the passage of the bill, without any other restriction than that originally proposed. Thus was it known to the French Ministry and Chambers, that if the position assumed by them, which had been so frequently announced as the only one compatible with the honor of France, was unavailing and the bill passed as originally proposed, the money would be paid, and there would be an end of this uncer-

But this alarming prospect was soon destroyed by amendment introduced into the bill at the moment of its passage, providing that the money should not be paid until the French Government had received satisfactory explanations of the President's message of the 2d Decr. 1854; and that is still more extraordinary, the President of the Council of Ministers adopted this amendment and consented to its incorporation in the bill. In regard to a supposed insult which had been formally received by the recall of their minister, and the offer of passports to ours, they now, for the first time proposed to ask for explanations. Sentiments and propositions which they had declared could not justify the imputations on the government or people of the United States, were set up as obstacles to the performance of an

of concerted justice to the Government and the People. They had declared that the honor of France required the fulfillment of the engagement into which the King had entered, unless Congress adopted the recommendations of the message. They ascertained that Congress did not adopt them, and yet that fulfillment is refused, unless they first obtain from the President explanations of an opinion characterized by themselves as personal and imperative. The conception that it was my intention to menace or insult the Government of France, is as unfounded, as the attempt to start from the fears of that nation what her sense of justice may demand, would be vain and ridiculous.—But the Constitution of the United States imposes on the President the duty of laying before Congress the condition of the country, in its foreign and domestic relations, and of recommending such measures as may, in his opinion, be required by its interests. From the performance of this

It cannot be deterred by the fear of wounding the sensibilities of the people or Government of Whom it may become necessary to speak ; and the American people are incapable of submitting to an interference, by any government on earth, however powerful, with the free performance of the domestic duties which the Constitution has imposed on their functionaries.—The discussions which intervene between the several departments of our Government belong to ourselves, and, for any thing said in them, our public servants are only responsible to their own constituents, and to each other. If, in the course

in their consultations, facts are erroneously stated, or unjust deductions are made, they require no other inducement to correct them, however reformed of their error, than their love of justice, and what is due to their own character; but they can never submit to be interrogated upon the subject, as a matter of right, by a foreign power. When our discussion terminates in acts, not as individuals but a nation. The principle which calls in question the President for the language of his message, would equally justify a foreign power in demanding explanation of the language used in the report of a committee or by a member in debate.

This is not the first time that the Government of France has taken exception to the message of American Presidents. President Washing-

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